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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/720,537	06/27/2001	Tatsuo Eguchi	209880US6PCT	3348

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EXAMINER

VAN HANDEL, MICHAEL P

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/720,537	<b>Applicant(s)</b> EGUCHI ET AL.	
	<b>Examiner</b> Michael Van Handel	<b>Art Unit</b> 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) 5, 7, 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Objections*

1. Claims **5, 7, 11** are objected to because of the following informalities:

Referring to claims **5, 7, and 11**, the applicant claims “generating/inputting data configured for controlling the recording of a picture in meeting with a system exploited by a program supervising the personal information.” It is noted that the stated “personal information” lacks antecedent basis. The examiner recommends that the word “the” be removed from the statement. The examiner addresses the claims in this action as though the recommended changes were made.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 101*

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims **13, 14** are rejected under 35 U.S.C. 101 because the recording reservation data is a non-functional data structure and as such is nonstatutory. See MPEP 2106.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. Claims **1-5, 7-9, 11-13** are rejected under 35 U.S.C. 102(e) as being anticipated by Morrison et al.

Referring to claims **1, 3, and 4**, Morrison et al. discloses an information processing apparatus/method (television system)(col. 4, l. 55-60)(Fig. 1) comprising: transmission means 1113, 116 (communication interface unit)(col. 5, l. 38-41)(col. 7, l. 34-39)(Figs. 1, 2) for transmitting data for controlling the recording (col. 14, l. 8-12, 15-17)(col. 15, l. 15-28)(col. 17, l. 19-30, 41-57)(Figs. 4-6) of a picture including data for specifying a channel, data indicating the data and time for starting the recording and data indicating the date and time for terminating the recording (col. 15, l. 29-45) to a picture recording apparatus (Fig. 2). Referring to claim **4**, Morrison et al. discloses a medium for permitting a computer to execute a program including a step of performing the aforementioned functions (Fig. 2).

Referring to claim **2**, Morrison et al. discloses the information processing apparatus according to claim 1, wherein said transmission means transmits data configured for controlling the recording of a picture stated in a text (col. 16, l. 55-67)(col. 17, l. 1-4, 19-30)(Fig. 5).

Referring to claims **5, 7, 8, 9, 11, and 12**, Morrison et al. discloses an information processing apparatus/method comprising:

- means for generating/inputting data configured for controlling the recording of a picture in meeting with a system exploited by a program supervising the personal information (the examiner notes that Figs. 4 and 5 include an address book feature 514, 614. Thus, the system includes “a program supervising personal information” as claimed); and

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- means for transmitting said data configured for controlling the picture recording to a picture recording apparatus.

Referring to claims 9 and 11, Morrison et al. discloses means for recording a pre-set picture; and recording control means for controlling the recording of said recording means based on said data configured for controlling the picture recording (the examiner notes that these limitations were met in claim 1). Referring to claims 8 and 12, Morrison et al. discloses a medium for permitting a computer to execute programs including the steps of performing the aforementioned functions (Fig. 2).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morrison et al. in view of vCalendar Specification, v0.4.

Referring to claims 6 and 10, Morrison et al. discloses the information processing apparatus according to claims 5 and 9, respectively. Morrison et al. does not disclose the data as being the data of a v-calendar system. vCalendar specification, v0.4 discloses the use of the vCalendar format in point-to-point communication (p. 1, paragraph 4), where vCalendar data streams are created with a vCalendar Writer and are read with a vCalendar reader (p. 1, paragraph 6). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Morrison et al. to include the use of a vCalendar format such as

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that taught by vCalendar Specification, v0.4 in order to collect and communicate PDI information across e-mail (p. 1, paragraph 2).

***Conclusion***

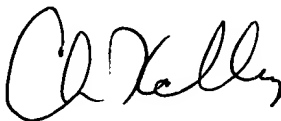
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Van Handel whose telephone number is 571.272.5968. The examiner can normally be reached on Monday-Friday, 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571.272.7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Van Handel  
Examiner  
Art Unit 2617

MVH

  
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